

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

NATASHA ATHENS d/b/a Favorite Things,

Plaintiffs,

v.

BANK OF AMERICA and MEGAN SCHOLZ,

Defendants.

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) Civil Action No. 1:21-cv-00748-SM
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DEFENDANTS' MOTION FOR ACCEPTANCE OF SERVICE

NOW COME Defendants Bank of America, N.A. ("BANA"), incorrectly named in the plaintiff's complaint as Bank of America, and Megan Scholz ("Scholz," together with BANA the "Defendants"), by their attorneys, Primmer Piper Eggleston & Cramer PC, and move the Court as follows:

1. Plaintiff filed her complaint on September 3, 2021, naming BANA and Scholz as defendants.
2. To date, plaintiff has not completed service of process on Defendants, and the U.S. Marshals Service has had difficulty serving Defendants.
3. The undersigned counsel has been authorized by BANA and Scholz to accept service of process on their behalf, and has simultaneously herewith filed an appearance on their behalf.
4. In order to allow this matter to proceed, Defendants request that the Court either:
(a) forward the Summonses and Complaint to the undersigned counsel, who will file an acceptance of service form after receipt of the Summonses and Complaint; or (b) have the U.S. Marshals serve the Summonses and Complaint on the undersigned at his offices.

5. No memorandum of law is filed herewith because the granting of this motion is within the sound discretion of the court.

6. Given the nature of this motion and the posture of the case, Defendants did not seek the assent of the plaintiff.

WHEREFORE, Defendants respectfully request that this Honorable Court:

- A. GRANT this motion and allow Defendants to accept service through the undersigned counsel; and
- B. Grant such other relief as the court deems just.

Respectfully submitted,

BANK OF AMERICA, N.A. and MEGAN SCHOLZ,

By their attorneys,

PRIMMER PIPER EGGLESTON & CRAMER PC

Dated: October 19, 2021 By: /s/ Thomas J. Pappas
Thomas J. Pappas, Esq., (N.H. Bar No. 4111)
P.O. Box 3600
Manchester, NH 03105-3600
(603) 626-3300
tpappas@primmer.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing DEFENDANTS' MOTION FOR ACCEPTANCE OF SERVICE has this day been forwarded via the Court's Electronic Case Filing System to:

Natasha Athens Natasha4NHGov@protonmail.com

Dated: October 19, 2021 /s/ Thomas J. Pappas
Thomas J. Pappas, Esq., (N.H. Bar No. 4111)